UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,077	04/18/2001	Michael E.S. Luna	03399P047	9556

26529 7590 02/03/2005	EXAMINER	
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SEVENTH FLOOR	ART UNIT	PAPER NUMBER
LOS ANGELES, CA 90025	2155	

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 October 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 6-29* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the amendment filed 10/21/04.

2.   Claims 1, 3, 6-18 and 23-29 were amended.

3.   Claim 5 was canceled.

4.   Claims 1-4 and 6-29 are pending in this Office Action.

Response to Amendment

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.

6.   The Objections to Claims 2, 3, 5, 7, 18, 19 and 20 for minor informalities are

withdrawn.

Claim Objections

7.   Claim 22 is objected to because of the following informalities: In line 2, "the on-

line service request" should just be "the request" for consistency. Appropriate correction

is required.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 1-4 and 6-29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent 6,678,731 by Howard et al. (Howard) in view of U.S. Patent 6,590,588

by Lincke et al. (Lincke).

10.   With respect to Claim 1, Howard teaches a method of using a communications

device to access an on-line service provided by a network server (Col. 1 lines 7-20), the

method comprising: accessing a proxy server based service (Col. 6 lines 58-67) in order

to obtain information required by the network server in order to process a request to the

on-line service (Col. 7 lines 16-27 and lines 48-64); wherein the request to the on-line

service is sent via a secure connection previously established between the

communications device and the network server (Col. 9 lines 57-65); and sending the

information to the network server via the secure connection with the network server

(Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). While Howard teaches a generic

communications device suitable for connecting to common networking environments

(See Col. 4 line 14 - Col. 5 line 41), Howard does not explicitly disclose the

communications device is as mobile communications device. Lincke teaches common

communication devices for connecting to networks such as the Internet include mobile

communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to

take the method disclosed by Howard and modify it as indicated by Lincke such that the

method further comprises using a mobile communications device and wherein the

request to the on-line service is sent via a secure connection previously established

between the mobile communications device and the network server. One would be

motivated to have this as it is desirable to access networks such as the Internet through

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

11.   With respect to Claim 2, Howard in view of Lincke teaches all the limitations of

Claim 1 and further teaches determining what information is required by the network

server in order to process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of

Howard).

12.   With respect to Claim 3, Howard in view of Lincke teaches all the limitations of

Claim 2 and further teaches determining what information is required by the network

server comprises: sending the request (Col. 6 lines 43-55 and Col. 8 lines 1-13 of

Howard) to the network server via the secure connection (Col. 9 lines 57-65 of Howard);

and receiving a response to said request, said response being indicative of the required

information (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

13.   With respect to Claim 4, Howard in view of Lincke teaches all the limitations of

Claim 3 and further teaches accessing the proxy based service includes forwarding said

response to the proxy server for processing (Col. 6 lines 53-57 and Col. 8 lines 56-65 of

Howard).

14.   With respect to Claim 6, Howard teaches a method for a proxy server to provide

a proxy server based service to a communications device (Col. 1 lines 7-20 of Howard),

the method comprising: receiving a request from the communications device to access

the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62); processing

said request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard); and sending the

result of said processing to the communications device for forwarding to a network

server via a secure connection previously established between the communications device and the network server (Col. 8 lines 1-4 and Col. 9 lines 57-62 of Howard). While Howard teaches a generic communications device suitable for connecting to common networking environments (See Col. 4 line 14 - Col. 5 line 41), Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

15.   With respect to Claim 7, Howard in view of Lincke teaches all the limitations of Claim 6 and further teaches wherein the request is the form of a response previously generated by the network server in reply to a request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard) by the mobile communications device (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke) to access an on-line service provided by the network server (Col. 6 lines 43-55 and Col. 8 lines 1-13 of Howard), the method then comprising providing a protocol to understand said response (Col. 4 lines 3-13 and Col. 9 lines 19-51 of Howard).

16.   With respect to Claim 8, Howard teaches a method for a network server to

provide an on-line service to a communications device (Col. 1 lines 7-20), the method

comprising: receiving a request (Col. 6 lines 43-55 and Col. 8 lines 1-13 of Howard)

from the communications device during a secure connection previously established with

the communications device (Col. 9 lines 57-65), the request being to the on-line service

(Col. 6 lines 43-55 and Col. 8 lines 1-13); generating a response to said request, the

response indicating additional information that is required by the network server in order

to process said request (Col. 7 lines 58-67 and Col. 9 lines 43-62) and said response

being in a format which is understandable by a proxy server associated with the

communications device (Col. 4 lines 3-13 and Col. 8 lines 56-66); and sending the

response to the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62).

While Howard teaches a generic communications device suitable for connecting to

common networking environments (See Col. 4 line 14 - Col. 5 line 41), Howard does not

explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the

Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Howard and modify it as indicated

by Lincke such that the communications device is a mobile communications device.

One would be motivated to have this as it is desirable to access networks such as the

Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24 of Lincke).

17.   With respect to Claim 9, Howard teaches a communications device, comprising:

a processor (Col. 4 lines 19-30); a memory device (Col. 4 lines 19-51) having stored

therein a code, which when executed by the processor causes the communications

device to allow a user to input a request to an on-line service provided by a network

server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-21); determine whether

additional information is required by the network server in order to service the request

(Col. 7 lines 58-67 and Col. 9 lines 43-62); access a proxy server based service in order

to obtain any additional information required by the network server (Col. 7 lines 58-67

and Col. 9 lines 43-62); and send a request to the network server, said request

including the additional information (Col. 8 lines 1-13 and Col. 9 lines 43-62), wherein

the request is part of a secure connection previously established between the

communications device and the network server (Col. 9 lines 57-65). Howard does not

explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the

Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the communications device disclosed by Howard and

modify it as indicated by Lincke such that the communications device is a mobile

communications device. One would be motivated to have this as it is desirable to

access networks such as the Internet through mobile communications devices (Col. 2

lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

18.   With respect to Claim 10, Howard in view of Lincke teaches all the limitations of

Claim 9 and further teaches wherein the code to determine whether additional

information is required by the network server comprises: instructions to establish the

secure connection with the network server (Col. 9 lines 57-62 of Howard); instructions to

send the user input request to the network server via said secure connection (Col. 6

lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-21 of Howard); and instructions to

analyze a response to said request, received from the network server, in order to

ascertain what additional information is required (Col. 7 lines 58-67 and Col. 9 lines 43-

62 of Howard).

19.   With respect to Claim 11, Howard in view of Lincke teaches all the limitations of

Claim 10 and further teaches wherein the code to access the proxy server based

service comprises instructions to establish a connection with the proxy server, said

instructions being executable before the instructions to establish a connection with the

network server (Col. 5 lines 61-67 and Col. 6 lines 58-62 and Col. 9 lines 5-10 of

Howard).

20.   With respect to Claim 12, Howard in view of Lincke teaches all the limitations of

Claim 11 and further teaches wherein the code to access the proxy based service

comprises: instructions to create a proxy service request based on the response from

the network server (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard); and

instructions to send the proxy service request to the proxy server via the connection

with the proxy server (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

21.   With respect to Claim 13, Howard in view of Lincke teaches all the limitations of

Claim 11 and further teaches wherein the code to access the proxy based service

includes instructions to forward the response from the network server to the proxy

server via the connection with the proxy server (Col. 9 lines 19-47 and Col. 8 lines 56-

66 of Howard).

22.   With respect to Claim 14, Howard teaches a proxy server comprising: a

processor (Col. 4 lines 19-22); and a memory device (Col. 4 lines 19-22), having stored

therein a code, which when executed by the processor causes the proxy server to:

receive a request from a communication device to a proxy server based service (Col. 6

lines 58-6, Col. 7 lines 58-67 and Col. 9 lines 43-62); process the request (Col. 7 lines

58-67 and Col. 9 lines 43-62); and send the result of said processing to the

communications device for forwarding to a network server (Col. 8 lines 1-13 and Col. 9

lines 43-62) via a secure connection previously established between the

communications device and the network server (Col. 9 lines 57-65). Howard does not

explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the

Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the proxy server disclosed by Howard and modify it as

indicated by Lincke such that the communications device is a mobile communications

device. One would be motivated to have this as it is desirable to access networks such

as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 -

Col. 3 line 24 of Lincke).

23.   With respect to Claim 15, Howard in view of Lincke teaches all the limitations of

Claim 14 and further teaches wherein the code has portions which when executed

perform a sequence of steps corresponding to a particular proxy service, the code

further comprising instructions to execute a portion of the code corresponding to a

particular proxy service based on the request from the mobile (Col. 2 lines 5-26 and line

65 - Col. 3 line 24 of Lincke) communications device (Col. 7 lines 20-47, Col. 7 lines 58-

67 and Col. 9 lines 43-62 of Howard).

24.   With respect to Claim 16, Howard in view of Lincke teaches all the limitations of

Claim 14 and further teaches wherein the memory device further comprises a protocol

stored therein to enable the processor to understand the request from the mobile (Col. 2

lines 5-26 and line 65 - Col. 3 line 24 of Lincke) communications device, in the event of

said request being generated by a network server (Col. 9 lines 43-62 and Col. 8 lines

56-66 of Howard).

25.   With respect to Claim 17, Howard teaches a network server, comprising: a

processor (Col. 4 lines 19-22); and a memory device (Col. 4 lines 19-22) having stored

therein executable code, which when executed by the processor causes the network

server to receive a request from a communications device to an on-line service resident

on the network server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22)

wherein the request is part of a secure connection previously established between the

network server and the communications device (Col. 9 lines 57-65); generate a

response to said request (Col. 7 lines 58-67 and Col. 9 lines 43-62), the response

indicating what additional information is required by the network server in order to

process said request (Col. 7 lines 58-67 and Col. 9 lines 43-62) and said response

being in a format which is understandable by a proxy server associated with the

communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62); and send the

response to the communications device (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines

43-62). Howard does not explicitly disclose the communications device is as mobile

communications device. Lincke teaches common communication devices for

connecting to networks such as the Internet include mobile communications devices

(Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to take the network server

disclosed by Howard and modify it as indicated by Lincke such that the communications

device is a mobile communications device. One would be motivated to have this as it is

desirable to access networks such as the Internet through mobile communications

devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

26.   With respect to Claim 18, Howard teaches a machine readable program storage

medium, having stored therein executable code, which when executed on a

communications device, performs a method of using a communications device to

access an on-line service provided by a network server (Col. 1 lines 7-20), the method

comprising: accessing a proxy server based service (Col. 6 lines 58-67) in order to

obtain information required by the network server in order to process a request to the

on-line service (Col. 7 lines 58-67 and Col. 9 lines 43-62), wherein the request is part of

a secure connection previously established between the communications device and

the network server (Col. 9 lines 57-65); and sending the information to the network

server via a secure connection with the network server (Col. 7 lines 58 - Col. 8 line 12

and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device

is as mobile communications device. Lincke teaches common communication devices

for connecting to networks such as the Internet include mobile communications devices

(Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to take the method disclosed

by Howard and modify it as indicated by Lincke such that the communications device is

a mobile communications device. One would be motivated to have this as it is desirable

to access networks such as the Internet through mobile communications devices (Col. 2

lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

27.   With respect to Claim 19, Howard in view of Lincke teaches all the limitations of

Claim 18 and further teaches first determining what information is required by the

network server in order to process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62

of Howard).

28.   With respect to Claim 20, Howard in view of Lincke teaches all the limitations of

Claim 19 and further teaches determining what information is required by the network

server comprises: sending the request to the network server in a secure manner (Col. 6

lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22 of Howard); receiving a response to

said request, said response being indicative of the required information (Col. 7 lines 58-

67 and Col. 9 lines 43-62 of Howard).

29.   With respect to Claim 21, Howard in view of Lincke teaches all the limitations of

Claim 20 and further teaches accessing the proxy based service includes forwarding

said response to the proxy server for processing (Col. 7 lines 58-67 and Col. 9 lines 43-

62 of Howard).

30.   With respect to Claim 22, Howard in view of Lincke teaches all the limitations of

Claim 21 and further teaches the on-line service request (Col. 6 lines 43-55, Col. 8 lines

1-13 and Col. 9 lines 19-22 of Howard) is sent via a secure connection with the network

server (Col. 9 lines 57-62 of Howard) and the proxy server is accessed via a connection

with the proxy server (Col. 8 lines 56-66 of Howard), the method comprising

establishing the connection with the proxy server prior to establishing the connection

with the network server (Col. 5 lines 61-67 and Col. 6 lines 58-62 and Col. 9 lines 5-10

of Howard).

31.   With respect to Claim 23, Howard teaches a machine readable program storage

medium, having stored therein executable code, which when executed on a proxy

server, performs a method for the proxy server to provide a proxy server based service

to a communications device (Col. 1 lines 7-20), the method comprising: receiving a

request from the communications device to the proxy server based service (Col. 7 lines

58-67 and Col. 9 lines 43-62); processing said request (Col. 7 lines 58-67 and Col. 9

lines 43-62); and sending the result of said processing to the communications device for

forwarding to a network server (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62)

via a secure connection previously established between the mobile communications

device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose

the communications device is as mobile communications device. Lincke teaches

common communication devices for connecting to networks such as the Internet include

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to take the method disclosed by Howard and modify it as indicated by Lincke such that

the communications device is a mobile communications device. One would be

motivated to have this as it is desirable to access networks such as the Internet through

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

32.   With respect to Claim 24, Howard in view of Lincke teaches all the limitations of

Claim 23 and further teaches the request is the form of a response previously generated

by the network server in reply to a request by the mobile (Col. 2 lines 5-26 and line 65 -

Col. 3 line 24 of Lincke) communications device to access an on-line service provided

by the network server (Col. 6 lines 43-66 of Howard), the method then comprising

providing a protocol to understand said response (Col. 4 lines 3-13 and Col. 9 lines 19-

51 of Howard).

33.   With respect to Claim 25, Howard teaches a machine readable program storage

medium, having stored therein executable code, which when executed by a network

server, performs a method for the network server to provide an on-line service to a

communications device (Col. 1 lines 7-20), the method comprising: receiving a request

from the communications device to the on-line service (Col. 6 lines 43-55, Col. 8 lines 1-

13 and Col. 9 lines 19-22) the request being part of a previously established secure

connection between the communications device and the network server (Col. 9 lines 57-

65); generating a response to said request, the response indicating additional

information that is required by the network server in order to process said request (Col.

7 lines 58-67 and Col. 9 lines 43-62) and said response being in a format which is

understandable by a proxy server associated with the communications device (Col. 7

lines 58-67 and Col. 9 lines 43-62); and sending the response to the communications

device (Col. 7 lines 58-67 and Col. 9 lines 43-62). Howard does not explicitly disclose

the communications device is as mobile communications device. Lincke teaches

common communication devices for connecting to networks such as the Internet include

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to take the method disclosed by Howard and modify it as indicated by Lincke such that

the communications device is a mobile communications device. One would be

motivated to have this as it is desirable to access networks such as the Internet through

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

34.   With respect to Claim 26, Howard teaches a communications device (Col. 4 lines

14-17) comprising: means for allowing a user to input a request to an on-line service

provided by a network server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-

22); means for determining whether additional information is required by the network

server in order to service the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); means

for accessing a proxy server based service in order to obtain any additional information

required by the network server (Col. 7 lines 58-67 and Col. 9 lines 43-62); and means

for sending a request to the network server, said request including the additional

information (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62), wherein the request

is part of a secure connection previously established between the communications

device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose

the communications device is as mobile communications device. Lincke teaches

common communication devices for connecting to networks such as the Internet include

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would

have been obvious to one of ordinary skill in the art at the time the invention was made

to take the device disclosed by Howard and modify it as indicated by Lincke such that

the communications device is a mobile communications device. One would be

motivated to have this as it is desirable to access networks such as the Internet through

mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

35.   With respect to Claim 27, Howard teaches a proxy server comprising: means for

receiving a request from a communications device (Col. 9 lines 19-62 and Col. 8 lines

56-66); means for processing the request (Col. 7 lines 58-67 and Col. 9 lines 43-62);

and means for sending the result of said processing to the communications device (Col.

7 lines 58-67 and Col. 9 lines 43-62) for forwarding to a network server (Col. 7 lines 58 -

Col. 8 line 12 and Col. 9 lines 43-62) via a secure connection previously established

between the communications device and the network server (Col. 9 lines 57-65).

Howard does not explicitly disclose the communications device is as mobile

communications device. Lincke teaches common communication devices for

connecting to networks such as the Internet include mobile communications devices

(Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to take the proxy server

disclosed by Howard and modify it as indicated by Lincke such that the communications

device is a mobile communications device. One would be motivated to have this as it is

desirable to access networks such as the Internet through mobile communications

devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

36.   With respect to Claim 28, Howard teaches a method of using a communications

device to access an on-line service provided by a network server (Col. 1 lines 1-20), the

method comprising; establishing a connection between the communications device and

a proxy server (Col. 9 lines 5-10), the proxy server being configured to provide a proxy

based service to the communications device (Col. 9 lines 5-10); establishing a second

connection between the communications device and a network server (Col. 9 lines 57-

65), wherein the second connection is a secure connection that co-exists with the first

connection (Col. 9 lines 5-10 and lines 57-62); sending a request for information to the

network server via the secure connection (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col.

9 lines 19-22); receiving a reply to the request from the network server, the reply being

indicative of additional information required by the network server in order to process

the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); using the connection between

the communications device and the proxy server to access the proxy server based

service (Col. 7 lines 58-67 and Col. 9 lines 43-62), the service being able to provide the

additional information (Col. 7 lines 58-67 and Col. 9 lines 43-62); receiving the

additional information from the proxy server via the connection therewith (Col. 7 lines

58-67 and Col. 9 lines 43-62); and sending an enhanced request to the network server

via the secure connection therewith, the enhanced request including the additional

information (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). Howard does not

explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the

Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Howard and modify it as indicated

by Lincke such that the communications device is a mobile communications device.

One would be motivated to have this as it is desirable to access networks such as the

Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3

line 24 of Lincke).

37.   With respect to Claim 29, Howard teaches a method for a proxy server to provide

a proxy based service to a communications device (Col. 1 lines 1-20), the method

comprising: receiving a request from the communications device to access the proxy

server based service (Col. 9 lines 19-62 and Col. 8 lines 56-66); processing said

request by generating an enhanced request including additional information provided by

the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62), the additional

information being required by a network server in order to service a request for

information sent by the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-

62) via a previously established secure connection with the network server (Col. 9 lines

57-65); and sending the enhanced request to the communications device for forwarding

to the network server via the previously established secure connection (Col. 7 lines 58 -

Col. 8 line 12 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

Response to Arguments

38.   Applicants' arguments filed 10/21/04 have been fully considered but they are not persuasive.

39.   Applicants argue - "*In the system of Howard, the authentication request to the authentication server cannot be "in order to obtain information required by the network server in order to process a request that is sent to the network server via a secure connection previously established between the client computer system and the network server", as recited in Claim 1. The reason for this is that no connection between the client computer system and the network server is possible until the network server authenticates the client computer system and in order to authenticate the client computer system, the network server requires authentication information from the authentication server. Thus, in the system of Howard, the authentication server is not accessed in order to obtain information required by the network server in order to process a request to the network server sent via a secure connection previously established with the network server.*"

a.   Howard explicitly states in Col. 9, lines 57-65,

"In an embodiment of the invention, a particular affiliate server <u>may utilize</u> <u>only a portion of the services available</u> from the authentication server. For example, <u>the affiliate server may perform its own authentication for the</u> <u>user</u>, but request the user profile information from the authentication server."

b.   Clearly, an affiliate server (the network server providing an on-line service) can perform its own authentication of the client to form a secure connection instead of using the authentication server. This authentication can be done as is known in the art as described in the background of Howard (see Col. 1 lines 36- 49). As Howard explicitly states, the affiliate server may only require the authentication server to provide the user profile information in response to requests for that affiliate server's services (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22). If the affiliate server does its own authentication, the client must be authenticated before the client can request the associated service or services. In other words, the secure connection is "previously established between the client computer system and network server". Only after this secure connection is established, will the client access the authentication server for whatever user profile information that was requested by the affiliate server in response to the client's request. Therefore, Howard's teachings are within the scope of *"accessing a proxy server based service in order to obtain information required by the network server in order to process a request to the on-line service, wherein the request to the on-line service is sent via a secure connection*

previously established between the client computer system and the network

server".

40.   Applicants argue - *"Moreover, Howard fails to teach or suggest that a secure*

connection is established between the client computer system and the network server."

c.   When an affiliate server (the network server) performs their own

authentication of the client as stated in Col. 9, lines 57-65, the client is generally

required to provide a login ID and password as described in the background (Col.

1 lines 36-49). This authentication is unique to the client and protects private or

confidential data. While this can be broadly interpreted as a secure connection,

Howard also teaches confidential data, including login information, can be

encrypted through various security protocols (Col. 7 lines 1-15). Therefore,

Howard teaches establishing a secure connection between the client computer

system and the network server.

41.   Applicants argue - *"Howard fails to disclose that the client computer system 100*

maintains a connection with an affiliate server 104, which connection co-exists with a

connection with an authentication server 110."

d.   As explained above, an affiliate server (the network server) may perform

their own authentication of the client as stated in Col. 9, lines 57-65. In regards

to the authentication server, the client may (Col. 6 lines 53-67) or may not (Col. 9

lines 5-10) have already established a connection with the authentication server.

In either case, the client must establish a connection with the authentication

server in order to obtain the information required by the affiliate server in response to a request for the affiliate server's service or services (Col. 9 lines 57-62). Since the client will have already established a connection with the affiliate server that performs its own authentication, the client, in obtaining the required information, will have a connection with the authentication server that co-exists with the established secure connection to the affiliate server. Therefore, Howard's teachings are within the scope of "wherein the second connection is a secure connection that co-exists with the first connection".

Conclusion

42.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

43.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to David Lazaro whose telephone number is 571-272-

3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

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Business Center (EBC) at 866-217-9197 (toll-free).

David Lazaro
January 28, 2005

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER